

Washington, D.C. – Today, Congressman Joe Sestak (PA – 07), as a member of the House Education and Labor Committee, voted to pass the Stop Child Abuse in Residential Programs for Teens Act of 2009 out of Committee and move it to consideration in the full House. Congressman Sestak co-sponsored the bill in the 110th Congress and voted for the bill when it came up in the House Education and Labor Bill. Regrettably, the bill never was voted on by the entire House and thus was reintroduced in the 111th Congress.

This legislation puts into place regulations for residential programs for teens – including boarding schools and camps – to help prevent child abuse and neglect. Currently these programs are only sparsely regulated, and the Government Accountability Office has found thousands of reports of abuse and neglect at these programs between 1994 and 2007.

“This legislation puts into place necessary regulations to protect our nation’s children when they are away from home in programs that treat behavioral, emotional, or mental health problems,” said Congressman Sestak. “Reports of abuse in these types of programs have gone unchecked for too long, and this legislation begins to right years of wrong by putting careful checks in place where they were so sorely lacking before.”

Tens of thousands of U.S. teenagers attend private and public residential programs – including therapeutic boarding schools, wilderness camps, boot camps, and behavior modification facilities – that are intended to help them with behavioral, emotional, mental health, or substance abuse problems. Depending on the state in which the program operates, some of these programs are subject to state law or regulation, while others are not. As a result of this loose patchwork of state oversight, children at some the programs have been subject to abuse and neglect with little to no accountability.

The Government Accountability Office found thousands of allegations of child abuse and neglect at residential programs for teens since the early 1990s. Tragically, in a number of cases, this abuse and neglect led to the death of a child. To address this urgent problem, the “Stop Child Abuse in Residential Programs for Teens Act of 2009” would:

Keep teens safe with new national standards for residential programs that are focused on teens with behavioral, emotional, or mental health, or substance abuse problems

- Prohibit programs from physically, mentally, or sexually abusing children in their care;
- Prohibit programs from denying children essential water, food, clothing, shelter, or medical care – whether as a form of punishment or for any other reason;
- Require programs to provide children with reasonable access to a telephone and inform

children accordingly;

- Require programs to train staff in what constitutes child abuse and neglect and how to report it;
- Require that programs only physically restrain children if it is necessary for their safety or the safety of others, and to do so in a way that is consistent with federal law already applicable in other contexts; and
- Require programs to have plans in place to provide emergency medical care.

Prevent deceptive marketing by residential programs for teens

- Require programs to disclose to parents the qualifications, roles, and responsibilities of staff members;
- Require programs to notify parents of substantiated reports of child abuse or violations of health and safety laws; and
- Require programs to include a link or web address for the website of the U.S. Department of Health and Human Services, which will carry information on residential programs.

Hold teen residential programs accountable for violating the law

- Require states to inform the U.S. Department of Health and Human Services of reports of child abuse and neglect at covered programs and require HHS to conduct investigations of such programs to determine if a violation of the national standards has occurred; and
- Provide HHS the authority to assess civil penalties up to \$50,000 for every violation of the law.

Ask states to step in to protect teens in residential programs

Within three years, states must require all public and private programs to be licensed, meet standards that are at least as stringent as the national standards, and implement a monitoring and enforcement system. The Department of Health and Human Services would continue to inspect programs where a child fatality has occurred or where a pattern of violations has emerged.

Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on

Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the Congress.

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